

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

AUSTIN AYERS WINTHER

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CRIMINAL NO. 11-212

ORDER

AND NOW, this 18th day of November, 2011, upon consideration of Defendant's Motion to Suppress Statement and Combined Memorandum of Law (Doc. No. 36, filed October 11, 2011), Defendant's Motion to Suppress Physical Evidence and Supporting Memorandum of Law (Document No. 39, filed October 24, 2011), Defendant's Motion to Suppress Physical Evidence and Supporting Memorandum of Law with Exhibit A (Document No. 40, filed October 24, 2011), Exhibit B to Defendant's Motion to Suppress Physical Evidence (Document No. 41, filed October 24, 2011), and the Government's Second Omnibus Reply to Defendant's Pretrial Motions (Document No. 42, filed November 1, 2011), after an evidentiary hearing and oral argument on November 4, 2011, for the reasons stated in the Memorandum dated November 18, 2011, **IT IS ORDERED** as follows:

1. Defendant's Motion to Suppress Statement is **DENIED**.
2. Defendant's Motion to Suppress Physical Evidence is **DENIED**.

BY THE COURT:

/s/ Hon. Jan E. DuBois
JAN E. DUBOIS, J.